

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

AZADEH DEHGHANI,

Petitioner,

v.

No. 2:25-cv-0052 MIS/DLM

DORA CASTRO,

*Otero Processing Center Warden,*

Respondent.

**ORDER DENYING MOTION FOR WRIT OF HABEAS**

**THIS MATTER** is before the Court on Petitioner’s motion for a writ of habeas corpus ad testificandum. (Doc. 13.) In her motion, Petitioner alleges that the Court has scheduled a hearing for Wednesday, February 26, 2025, to hear oral argument and receive testimony regarding the Court’s order to show cause. Counsel for Petitioner has misinterpreted the Court’s directive, as the Court did not set a show cause hearing but rather ordered Petitioner to submit a written response. (*See* Doc. 12.)

Petitioner challenges her immigration detention pending removal from the United States and asks the Court to grant her the relief of “Parole/Release.” (*See* Doc. 1.) Currently, Petitioner is confined at the Otero Processing Center and is scheduled for expedited removal from the United States at the end of February 2025 under 8 U.S.C. § 1225. (Doc. 8.) Under existing 10th Circuit precedent, this Court may review whether a petitioner was ordered removed under Section 1225. *Vaupel v. Ortiz*, 244 F. App’x 892, 894 (10th Cir. 2007). But by statute, the Court’s scope of jurisdiction to review the validity of Petitioner’s expedited removal order is limited. 8 U.S.C. § 1252(e)(5) (“In determining whether an alien has been ordered removed under section 1225(b)(1) of this title, the court’s inquiry shall be limited to whether such an order

in fact was issued and whether it relates to the petitioner. There shall be no review of whether the alien is actually inadmissible or entitled to any relief from removal.”)

**IT IS THEREFORE ORDERED** that Petitioner’s motion is **DENIED** and the Court reiterates that its show cause order requires Petitioner to explain *in writing* how this Court has jurisdiction to review the validity of Petitioner’s expedited removal order or to grant the relief Petitioner is requesting, no later than **Wednesday, February 26, 2025, at 12:00 p.m. MST**.

**IT IS SO ORDERED.**

A handwritten signature in blue ink, reading "Damian L. Martinez", is positioned above a horizontal line.

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DAMIAN L. MARTINEZ  
UNITED STATES MAGISTRATE JUDGE